

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

SHENEA JAMES, as Administrator of the estate of DEDRICK
JAMES, deceased, and SHENEA JAMES, Individually ,

Plaintiff,

v.

THE UNITED STATES OF AMERICA, et al.,

Defendants.

**ATTORNEY DECLARATION IN
SUPPORT OF SUMMARY
JUDGMENT
CASE NO.: 21-cv-06318-EAW**

JOHN M. CAMPOLIETO, Esq., declares and says:

1. I am an attorney with the City of Rochester Corporation Counsel's Office, attorneys for Defendants. I am admitted to practice law before the courts of the State of New York and in the United States District Court, Western District of New York.

2. I submit this Declaration in support of Defendants' F.R.C.P. Rule 56 Summary Judgment Motion made against the Plaintiffs' Complaint.

3. The information set forth herein is based upon my personal knowledge, a review of the proceedings in this action, and a review of relevant case law.

4. Annexed hereto as Exhibit A is the United States Department of Justice, United States Marshals Service Field Report.

5. Annexed hereto as Exhibit B is a copy of the Supporting Deposition of Richard Arrowood, affirmed and witnessed on September 15, 2021.

6. Annexed hereto as Exhibit C is the Sworn Deposition Transcript of Richard Arrowood dated October 4, 2024.

7. Annexed hereto as Exhibit D is the Co-Defendant, the United States, Memorandum of Law in support of their motion for summary judgment.

8. Annexed hereto as Exhibit E is the Report on the Investigation into the death of Dedrick James, authored by the Office of the New York State Attorney General of New York State, Office of Special Investigation.

9. Annexed hereto as Exhibit F is the Plaintiffs' First Amended Complaint.

10. This motion seeks the dismissal of the Plaintiffs' Ninth, Tenth, Eleventh, Twelfth and Thirteenth Causes of Action, which are Negligent Planning, Wrongful Death, Negligence, Assault and Battery and Failure to Intervene against the City of Rochester pursuant to Respondeat Superior for Richard Arrowood, as alleged in the First Amended Complaint.

DATED: June 25, 2025

PATRICK BEATH, CORPORATION COUNSEL

/s/John M. Campolieto

BY: JOHN M. CAMPOLIETO, ESQ, of Counsel
Attorneys for Defendants
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To: All Parties (ECF)